

**Remarks/ Arguments:**

In the specification, the paragraphs [0318 and [0363] have been amended to correct the references to those depicted in the drawings. Para [0318] has also corrected wire to wireless – this is clearly an error as the original read wired and or wired. There are ample references in the specification to the use of wired and or wireless means.

Paragraph [0434] has been amended to correct the reference to the claims of the original PCT application incorporated by way of reference. There were 226 claims as in the first part of the paragraph. The subsequent change to 256 is clearly wrong.

With reference to Paragraph [ 0434] the applicants now realize that the claims incorporated by reference having been subsequently canceled no longer appear in the present published documents. We seek guidance on how this material may be reintroduced into the specification. Our preference, if permitted and to avoid confusion, would be to append the previously canceled claims 1 – 226 prior to the last paragraph of the and change the word claim to a paragraph number to avoid confusing the reader.

This material is important and the examiner's previous objections on the basis of lack of support for the claims in the specification should be overcome by reference to the detailed original and now canceled claims.

The changes to the specification overcome the objections to the drawings that depict elements 15 and 104 not in the specification. The amendments to the drawing should now match the specification.

The abstract has been redrafted to delete the the drawing and provided on a separate sheet. It now better reflects the now presented amended claims set.

The claims have been substantially modified to reflect that the present invention discloses a system for locating stored containers of beverage/food. Kirshenbaum et al disclose a system for determining the suitability of a comestible item for consumption. It does not disclose a mean for a user to actually locate a particular item from a plurality of stored items using a transiently activated indicator to locate the product in response to user provided parameters. Kirshenbaum does not disclose a system for indicating a position to place a comestible item in response to user provided parameters.

To better clarify the nature of the present invention the original independent claim as been split into two independent claims:

Original 227 is currently amended to disclose a system for facilitating the placement of items to particular locations. This is further supported by currently amended dependent claims 228, 230, 235, and 245. Original claims 229, 231- 234, 236 – 244, and 246 -265 have been canceled. Claim 227 is further supported by new dependent claims 294 – 313.

New Independent claim 314 discloses a system for selectively indicating a storage location for removal of a comestible item. It is further supported by new dependent claims 315 – 348.

The present invention is typically for use with the manual placement of comestible containers to storage locations (typically a shelf or a receptacle in a wine rack) and manual retrieval of these items.

Le Blanc discloses LED's on a panel to indicate containers that are running low on content – the LED's are not visibly proximal to the container and provide no information to a person for selecting particular ingredients – in fact Le Blanc extensively discloses a system for automatically measuring and preparing a mixed beverage. One would still need to go and find the container from a plurality of stored containers. We would further argue that even allowing for an automated system for preparing a mixed beverage that did have coupled illuminable indicators that considerable inventive effort is required to adapt the system for manually accessible containers.

The dependent claims 315 – 348 allow for the scope of 314 to be better defined to what we consider is an inventive step. We would further argue that the objective of providing a system for concurrent use for plural users does require innovation. One needs to consider that a Wine cellar for the present system is not presently known to our knowledge. The advancement of this concept to allow for plural concurrent users and means for the user to know their specific indicator is, in our opinion, not obvious.

Currently amended independent claim 266 narrows the scope of the original 226 to better define the use of a system that measures a plurality of ingredients in the container in the presence of previously added ingredients. This is further defined by dependent claims 269 through 286. It is optionally coupled to a means for selectively identifying required beverage ingredients from a plurality of stored containers.

A beverage container for providing part at least of the system of 266 is disclosed in currently amended claim 267 supported by dependent claims 287- 293.

We also provide the following arguments in support of independent claims 266 and 267:

Typical known art systems for computer controlled preparation of alcoholic cocktails disclose are dependent on the measurement of the ingredients prior to adding them to a container for the mix (eg a cocktail shaker or a glass for consuming the finished product). Because of the variability in flow rates, keeping plumbing clean etc they are complex inventions. They also destroy much of the fun in consuming cocktails – watching them being prepared from a variety of ingredients each often in their own characteristic and often elegant bottle. The present invention avoids this problem by disclosing a computer controlled measuring system that allows the ingredients to be measured in the container as they are poured and is typically not restricted to the number of different ingredients that may be added and measured. The container readily allows the measurement of a second ingredient after a first ingredient. Conventional recipes for an alcoholic mixture typically provide for a certain amount of volume (eg mls/fluid ounces) for each ingredient. They are typically measured individually (eg using a jigger or by an automated dispensing means) prior to addition to a container for receiving the mixture. Using a known art jigger a particular amount of an ingredient is typically added up to a particular mark on the jigger (eg 1 Fl Oz mark) – should the recipe call for 1.75 Fl Oz of a second ingredient the normal course of action would be to empty the jigger contents into a mixing container and then measure 1.75 Fl Oz of ingredient #2 and subsequently add this to the mixing container. Should a

person want to measure the second ingredient in the jigger before emptying the first they would need to work out what the final level for the combined ingredients will be prior to adding ingredient #2 – in this case it would be 2.75 Fl Oz. Known art recipe books do not provide these combination amounts as there has been no application to date, it would require multiple versions of the recipe (eg one for those using traditional methods) and become highly complicated for more than 2 ingredients where combined levels would also depend on the order the ingredients are to be added. Other problems may include the jigger being of insufficient size for all ingredients and having insufficient fine markings (also a problem for the known art method wherein the ingredient portions are typically restricted to measurements available in a typical jigger). Known art machine dispensing has flexibility in dispensing however it is limited as most recipes are developed on the base that they are manually prepared.

Neither the cited documents or any of our searches disclose the mixture preparation system that we disclose.

Our disclosure advances the art on several fronts.

- 1) It does not rely on fixed measurements on the measuring container (or more clumsily on a measuring means closely proximal to the container). We dynamically mark a level on a mixing container (or for that matter a container to receive only one ingredient) using light to define a level in the container to which an ingredient is added for a particular volume and or wt of said ingredient. From the outset the container is typically able to measure (approximately at least) any amount that the container is able to receive. Measurement accuracy is typically limited to the resolution able to be obtained between a first level and the next closest level (eg this may be determined by the spacing of lighting elements used to create the levels – we have further refined this in other pending patents by using a laser beam to draw the level).
- 2) It discloses a computer with access to information related to dimensions (eg diameter (and variations with height), height, shape) of the mixing container in order to determine a particular level in the container for a particular volume and or weight. Clearly a particular level for a given amount is likely to vary from a first shaped container to a second. As for known art systems the computer requires quantities (vol/wt) for ingredients to be measured by the system. The relevant parameter information is stored in memory. We also disclose a means for the computer to determine the type of container that it to work for (RFID tag on the bottom of a glass for reading by a suitably located RFID reader).
- 3) We disclose information stored in memory for utilising information related to the container dimensions and the amount of a particular ingredient to add to a container and the amount of

an ingredient already added to determine the next container level to display.

- 4) We disclose a means for indicating to the computer when an ingredient has been added to the container and a person is ready to add another ingredient (where required). For example activating a switch reading RFID on ingredient container to determine if proximal to system or removed from system, a digital imaging means.
- 5) We disclose means wherein the visible indicator is on a device proximal to the container and further disclose and embodiment wherein it is fabricated into the wall of the container. For a container with an integrated display it is preferable that additional information may be displayed (eg cocktail name, customer name).
- 6) We disclose a means for highlighting the next ingredient for adding to the mixing container by selectively illuminating the ingredient container. The system allows for the concurrent preparation of multiple mixed beverages (eg by associating a first colour with an ingredient for a first mixture and second colour for an ingredient for a second mixture and or concurrent use of the system by multiple people. The system preferably is able to automatically determine the location of a stored ingredient container.

It will also be appreciated that the system for visibly identifying the location of ingredient containers will also have application for mixtures prepared using known art methods – for example a person may use a traditional jigger and recipe book and call out the name of the next ingredient to have it highlighted. Alternatively an electronically stored recipe may enable a computer to automatically sequence the highlighting of ingredients and instruct a person how much to add.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Yours Sincerely

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